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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

VU, THANH T

ART UNIT	PAPER NUMBER
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2174

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10/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/724,318

Applicant(s)

OLIVER, HUW EDWARD

Examiner

Thanh T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, and 13-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to Amendment, filed 08/14/2007.

Claims 1-11, and 13-45 are pending in this application. In the Amendment, claims 12 was cancelled, and claims 1, 2, 11, 13, 25-31, 37, 39, 40, 41, and 44-45 were amended. This action is made Final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11, and 13-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Rao (Pub. No. US 2002/0087526).

Per claim 1, Rao teaches a method of obtaining user feedback relating to items displayable on a device, the method comprising:

displaying on the device (*fig 4 is displayed on client computer*; [0034])

a view of a said displayable item (fig. 4; [0034]; *a view of web page 52*),

a first activatable transport-control element with associated first semantic information ([0047]; *i.e. "backward" button with associated rating box*; [0035] *shows search result links (elements 56-64 of fig. 4) with associated rating fields*), and

a second activatable transport-control element with associated second semantic information that is different from said first semantic information ([0047], i.e. *“forward” button with associated rating box. “Forward” text has different semantic information from “backward” button text; [0035] shows search result link (elements 56-64 of fig. 4) with associated rating fields. In addition, each link description has a different semantic information from other link description*); and

responding to activation of a said transport-control element both by moving the displayed item view within or between displayable items (figs. 4; [0037] and [0047]; *a user can move between web pages using “backward” and “forward” button*) and by storing or outputting data indicative of the semantic information associated with the activated element ([0047]; [0073]; *outputting of a rating box and storing of rating information*), the item-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated ([0047], *the examiner considers “the item-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated” to be in moving between web pages using “forward” or “backward” button, the rating box is outputted in both cases*).

Per claim 2, Rao teaches a method according to claim 1, wherein said displayable items are web pages, the device running a web browser for viewing the web pages (fig. 4; [0033], and [0034]; *a web browser (user interface) is used to display web pages*).

Per claim 3, Rao teaches a method according to claim 2, wherein the transport-control elements are displayed as part of the web browser interface, independently of a currently-displayed web page (fig. 4; [0034]; [0047]; *“forward”, “backward” and elements 56-62 are*

displayed as part of the web browser interface (the user interface for viewing webpage), which is separate from the displayed web page 52).

Per claim 4, Rao teaches a method according to claim 3, wherein the semantic information is provided from externally of the device (fig 4; [0034]; [0028]; [0037]; [0047]; *the semantic information of search result links (56-62) are provide to the user from the internet. In addition, it is noted that "forward" and "backward" button are part of web browser software, which is provided to the client machine from an external source (i.e. software installation).*

Per claim 5, Rao teaches a method according to claim 2, wherein the transport-control elements are displayed as part of a currently displayed web page (fig. 4; [0034] and [0047]; *search result links (56-62), "backward" and "forward" buttons are part of currently display page 52).*

Per claim 6, Rao teaches a method according to claim 1, wherein said semantic information comprises text data (fig. 4; [0034], [0047]; [0073]; *search result links (56-62) includes a short title and description summary of each web page; "backward" and "forward" with associated rating box comprises text data).*

Per claim 7, Rao teaches a method according to claim 1, wherein said semantic information comprises a graphics information (fig. 4; [0035]; *rating field (64-72); "backward" and "forward" button are shown with icon symbols "<" and ">"*).

Per claim , Rao teaches a method according to claim 1, wherein said data comprises a first message type that is output every time said first transport-control element is activated, and a second message type that is output every time said second transport-control element is activated

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([0047]; *the “forward” and “backward” button, each displays a different message type such as displaying different web pages i.e. “backward” or “forward” page.*)

Per claim 9, Rao teaches a method according to claim 1, wherein: said first semantic information comprises information describing a positive aspect and said second semantic information comprises information describing a negative aspect (fig. 4; [0035]; [0073]; *rating fields with low 64 and high 72*).

Per claim 10, Rao teaches a method according to claim 9, further comprising displaying a third transport control element with associated third semantic information describing a neutral aspect (fig. 4; [0034] [0073]), *the examiner considers one of the search result links (56-62) to be a third transport control element with associated third semantic information describing a neutral aspect (i.e. rating field 68; or a rating scale of 5 out of 10).*

Per claim 11, Rao teaches method of obtaining feedback data from a plurality of users of one or more on line services, said method comprising (fig. 1; clients 23 and 29; servers 24, 26, and 28):

displaying a set of transport-control elements for transporting in the same direction between display views comprising said online service (fig. 4; [0034]; *i.e. a set of transport-control elements: links 56 and 58. Selecting link 56 or link 58 results in moving forward from the current display page (52) to a next page (Schnauzers or Labrador page). The examiner considers such moving forward is in the same direction namely “moving forward to a new page”*) and

for each said transport-control element, presenting an associated information describing a type of experience which said user has encountered that is different from each other said

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transport control element ([0035] *shows search result link (elements 56-64 of fig. 4) with associated rating fields. In addition, each link description has different semantic information from other link description.*).

Claim 13 is rejected under the same rationale as claim 1, Rao further teaches a display and a display control arrangement (fig. 1; [0027]; [0034]; *user interface of fig. 4 is displayed on a client computer display*).

Claims 14-22 are rejected under the same rationale as claims 2-10 respectively.

Per claim 23, Rao teaches a device according to claim 13, wherein said information describing a user's experience is selected from the set comprise of : information determining whether a user found/did not find what-they wanted ([0038] and [0039]; *rating information determining whether a user found/did not find what they wanted*); information describing whether a user had a good/bad experience, information describing whether a user had a satisfactory/unsatisfactory experience ([0035]; [0073]; *rating fields describing whether the user had low or high rating.*)

Per claim 24, Rao teaches a device according to claim 14, wherein the control arrangement is arranged to send said data to an address associated with a website that provided the currently displayed page ([0079]; *real-time feedback data is provided to a web host*).

Claims 25-31 are rejected under the same rationale as claims 1-10 respectively.

Per claim 32, Rao teaches a web page stored on a storage medium, the web page comprising:

page content data (fig. 4; [0034]; *web page 52*),

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a first activatable transport-control element with associated first semantic information ([0047]; *i.e. "backward" button with associated rating box; [0035] shows search result links (elements 56-64 of fig. 4) with associated rating fields*),

a second activatable transport-control element with associated second semantic information that is different from said first semantic information, the transport-control elements and their associated semantic information being intended for display by a browser along with said page content data ([0047], *i.e. "forward" button with associated rating box. "Forward" text has different semantic information from "backward" button text; [0035] shows search result link (elements 56-64 of fig. 4) with associated rating fields. In addition, each link description has a different semantic information from other link description*); and

control script code for causing a browser, when displaying the web page, to respond to activation of a said transport-control element both by moving the displayed page view within or between web pages (figs. 4; [0037] and [0047]; *a user can move between web pages using "backward" and "forward" button. It is noted that each button or link has code or script code in order for the user to activate the function provided by the button or link*) and by storing or outputting data indicative of the semantic information associated with the activated element ([0047]; [0073]; *outputting of a rating box and storing of rating information*), the page-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated ([0047], *the examiner considers "the item-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated" to be in moving between web pages using "forward" or "backward" button, the rating box is outputted in both cases*).

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Claims 33-37 are rejected under the same rationale as claims 6-10 respectively.

Per claim 38, Rao teaches a web page according to claim 32, wherein said page is divided into at least a first frame containing said transport-control elements with their associated information (fig. 4; [0035] [0047]; *i.e. first frame: a frame that contains control buttons, or a frame that contains the search result links 56-64*, and a second frame containing said content data (fig. 4; content frame 52).

Per claim 39, Rao teaches a web page according to claim 32, wherein storage medium is a web server ([0028] *shows pages are stored in databases*).

Claims 40 is rejected under the same rationale as claim 32.

Per claim 41, Rao teaches a service provider computer entity adapted for providing an online accessible service, said computer entity comprising:

a web server application capable of serving website pages to a plurality of user browsers; and (fig. 1; [0017]; *web server 24 or 26 severing web pages to plurality of client 23 and 29*)

a message generation component for, upon activation of a transport-control element of the browser causing the passing to a said browser requesting a website page, one of a plurality of information items associated with respective ones of a plurality of transport-control elements of the browser (fig. 4; [0046], [0047]; *"backward" and "forward" button with associated rating information*), respective ones of said information items describing a positive aspect and a negative aspect of an experience of the website page served by said computer entity (fig. 4; [0035], [0073]; *LO or HI rating of fig. 4*).

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Per claim 42, Rao teaches a computer entity according to claim 41, wherein said information comprises a text description of a positive information type and a text description of a negative information type (fig. 4; [0035], [0073]; *LO or HI rating of fig. 4*).

Per claim 43, Rao teaches a computer entity according to claim 41, wherein said information comprises a graphical representation of a positive type and a graphical representation of a negative type (figs. 4; [0035] *show rating range from low 64 to high 72*).

Per claim 44, Rao teaches a computer entity according to claim 41, wherein said information comprises information selected from the set comprise of information constructed for eliciting an objective response, information constructed for eliciting a subjective response (fig. 4; [0035], and [0073] *shows rating fields and provide opinions of sites*).

Per claim 45, Rao teaches a computer entity according to claim 41, wherein said web server application is arranged to provide the information generated by the a message generation component to the requesting browser in association with the requested web page (fig. 1; [0033], and [0034] *shows displaying web pages based on user request*.)

Response to Arguments

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that "Thus, and contrary to the Examiner's understanding, Rao responds to activation of a transport-control element not by both moving the displayed item and storing/outputting data – in fact, it does neither, because Rao responds to activation of a transport-control element (i.e. forward or back button) by *causing a rating box to appear*, and it is only after the user has entered a selection in this rating box that the displayed

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item is moved and data is outputted. Applicant submits that the language of Rao is very clear and not open to any alternative interpretations - in response to the back/forward button being activated, a rating box appears and nothing more. To put it plainly, Rao requires two clicks and Applicant only one. Applicant thus respectfully submits that Rao does not in fact teach each and every element of Rao, and requests the Examiner to kindly reconsider, withdraw this rejection, and pass claim 1 to issue" (see page 11 of Applicant's Remark).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *Rao requires two clicks and Applicant only one*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In this case, Robertson reads on the claim language of responding to activation of a said transport-control element both by moving the displayed item view within or between displayable items (figs. 4; [0037] and [0047]; *a user can move between web pages using "backward" and "forward" button*) and by storing or outputting data indicative of the semantic information associated with the activated element ([0047]; [0073]; *outputting of a rating box and storing of rating information*), the item-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated ([0047], *the examiner considers "the item-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated" to be in moving between web pages using "forward" or "backward" button, the rating box is outputted in both cases*).

In addition the applicant also points out that “different from each other said transport-control element. Applicant does note that the Examiner alleges this to be disclosed by Rao's search result links because he interprets "in a same direction" to be anticipated by Rao's search result links transitioning to a new page. Applicant submits that this interpretation is not reasonable because the skilled person very clearly understands direction to mean forward or backwards in a sequence of pages - whereas by the Examiner's own interpretation Rao can only move forward, never back, through his search result links. Applicant therefore respectfully submits that Rao does not disclose all elements of claim 11 as amended herein, and requests the Examiner to kindly reconsider, withdraw this rejection, and pass claim 11 to issue. (see page 12 of applicant's remark).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *direction means forward or backwards in a sequence of pages*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In this case, Roberson reads on the claim language of displaying a set of transport-control elements for transporting in the same direction between display views comprising said online service (fig. 4; [0034]; i.e. *a set of transport-control elements: links 56 and 58. Selecting link 56 or link 58 results in moving forward from the current display page (52) to a next page (Schnauzers or Labrador page). The examiner considers such moving forward is in the same direction namely "moving forward to a new page"*) and for each said transport-control element,

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presenting an associated information describing a type of experience which said user has encountered that is different from each other said transport control element ([0035] *shows search result link (elements 56-64 of fig. 4) with associated rating fields. In addition, each link description has different semantic information from other link description.*)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sy D. Luu/
Sy D. Luu
Primary Examiner

T. Vu